

**THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

FILED

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MAY 26 2011

CLERK, U.S. DISTRICT COURT
By H. Z.
Deputy 4:25 p.m.

BILLITTERI v. SECURITIES AMERICA,
INC., *et al.* (*Provident Royalties Litigation*)

3:09-cv-01568-F
AND RELATED CASES

THIS DOCUMENT RELATES TO:
ALL ACTIONS

C. RICHARD TOOMEY, *et al.* v.
SECURITIES AMERICA, INC., *et al.*

3:10-cv-01833-F

IN RE: MEDICAL CAPITAL SECURITIES
LITIGATION

Case No. ML 10-2145 DOC (RNBx)
(C.D. Cal.)

THIS DOCUMENT RELATES TO:
McCoy, SACV09-1084 DOC (RNBx) (C.D.
Cal.)

Limited transfer for settlement
purposes as Case No. 3-11-cv-00191-
F (N.D. Tex.)

**ORDER SETTING SCHEDULE FOR BRIEFING ON FINAL APPROVAL OF
PROPOSED SETTLEMENT AND PETITIONS FOR ATTORNEYS' FEES**

WHEREAS, on April 18, 2011, Representative Plaintiffs,¹ on behalf of Settling Plaintiffs, and Settling Defendants Securities America, Inc., Securities America Financial Corporation, and Ameriprise Financial, Inc. in the above-captioned Class Actions submitted to the Court the Settling Plaintiffs' Motion for Preliminary Approval, a Settlement Agreement subject to the provisions of Rule 23 of the Federal Rules of Civil Procedure and accompanying documents;

WHEREAS, the Court held a preliminary approval hearing on April 29, 2011 and entered an Order preliminarily approving the proposed settlement on May 5, 2011;

¹ Unless otherwise stated, all capitalized terms used herein have the meanings defined in the Settlement Agreement.

WHEREAS, the Court's May 5 Order set a Fairness Hearing for July 25, 2011 for purposes of, among other things, finally determining whether the Settlement is fair, reasonable, and adequate, and satisfies the applicable prerequisites for class action treatment under Federal Rules of Civil Procedure 23(a) and 23(b)(3); and considering any petition for attorneys' fees and costs submitted by Plaintiffs' Class Counsel and any other person claiming an entitlement to fees from the Settlement Fund.

IT IS HEREBY ORDERED, that:

1. Plaintiffs' Class Counsel's motion for final approval of the proposed settlement, and any petition for attorneys' fees and costs submitted by Plaintiffs' Class Counsel and any other person claiming an entitlement to fees from the Settlement Fund shall be filed on or before **June 14, 2011**;

2. Any responsive briefing as to final approval of the proposed settlement and any petitions for attorneys' fees and costs shall be filed on or before **July 18, 2011**.

Dated: May 26th, 2011

Royal Furgeson
The Honorable W. Royal Furgeson, Jr.
SENIOR UNITED STATES DISTRICT JUDGE